United Nations A/C.3/57/L.65

General Assembly

Distr.: Limited
13 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

South Africa:* draft resolution

The Right to Development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom, as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling that the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals, who make up nations, and the individual as the central subject and beneficiary of development,

Recalling all its previous resolutions and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998 on the urgent need to make further progress towards the realization of the right to development as set out in the Declaration on the Right to Development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration adopted by the General Assembly on 8 September 2000,[1]

Stressing the need for undertaking urgent measures to implement the goals and targets set in all the major United Nations conferences, summits and special

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China.

[1] See resolution 55/2.

02-69166 (E) 151102

sessions, including those of the United Nations Millennium Declaration, which are paramount in the process of the realization of the right to development,

Stressing also that the Vienna Declaration and Programme of Action[2] reaffirmed the right to development as a universal and inalienable right and an integral part of all human rights, and the individual as the central subject and beneficiary of development,

Reaffirming the solemn commitment expressed at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, in August and September 2001, to promote universal respect for, and observance and protection of all human rights, including the right to development,

Noting the outcomes of the Fourth Ministerial Conference of the World Trade Organization held at Doha from 9 to 14 November 2001 and the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002,

Taking note with appreciation of Commission on Human Rights resolution 2002/69 of 25 April 2002, in which the Commission endorsed the agreed conclusions of the Working Group on the Right to Development adopted by consensus during the Working Group's session held from 25 February to 8 March 2002,[3]

1. *Endorses* the agreed conclusions of the Working Group on the Right to Development as adopted by the Commission on Human Rights in its resolution 2002/69 and which constitute a solid foundation for further initiatives towards the promotion and the realization of the right to development;

2. *Takes note* of the postponement of the session of the Working Group on the Right to Development, owing to the non-availability of the report on the "international development issues," and calls upon the independent expert on the right to development to present this outstanding report in time for the next session of the Working Group scheduled to be held from 3 to 14 February 2003;

3. *Stresses* the importance of the core principles, which underpin the purpose of international human rights instruments, such as equality, equity, non-discrimination, transparency, accountability, participation and international cooperation as critical to mainstreaming the right to development at the international level;

4. *Underlines* the importance of further research and analytical work undertaken by the Office of the High Commissioner for Human Rights on the above-mentioned core principles and invites the High Commissioner, in consultation with the United Nations Conference on Trade and Development, the World Trade Organization and all relevant international organizations and institutions, to submit a report on the importance and application of the principle of equity as a matter of priority, at both the national and international levels, taking fully into account the conclusions of the Working Group on the Right to Development;

---

[2] A/CONF.157/24 (Part I), chap. III.

[3] See E/CN.4/2002/28/Rev.1.

5. *Invites*, in the above context, the High Commissioner for Human Rights to solicit the support and cooperation of these organizations in the preparation of the requisite report for presentation to the Commission on Human Rights at its fifty-ninth session;

6. *Reaffirms* the commitments to implement the goals and targets set in all the major United Nations conferences, summits and special sessions and those undertaken at the Millennium Assembly, in particular, those relating to the realization of the right to development;

7. *Recognizes* that the realization of the right to development is critical to achieving the objectives, goals and targets set in all the major United Nations conferences, summits and special sessions, including those of the United Nations Millennium Declaration;

8. *Reaffirms* the need for an international environment which is conducive to the realization of the right to development;

9. *Reaffirms also* that States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development and that they are committed to cooperating with each other to that end;

10. *Reaffirms further* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, and which also places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

11. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and international levels, recognizes that the promotion and protection of human rights, including the right to development, rests with States, as established in article 3 of the Declaration on the Right to Development, and further reaffirms the inextricable link between the two;

12. *Underlines* the importance of the continuation of the discussion, within the Working Group on the Right to Development, on the question of a suitable permanent follow-up mechanism to monitor the realization of the right to development;

13. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

14. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide and developing countries continue to face difficulties in participating in the globalization process, and many risk being marginalized and effectively excluded from its benefits;

15. *Reaffirms* the commitment, and urges developed countries that have not yet done so, to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help meet development goals and targets;

16. *Emphasizes* the international economic and financial issues that deserve particular attention by the Working Group on the Right to Development, such as international trade, access to technology, good governance and equity at the international level, and the debt burden, in order to consider and evaluate their impact on the enjoyment of human rights and, in this context, looks forward to a preliminary study, as requested by the Commission on Human Rights in its resolution 2001/9 of 18 April 2001, for consideration by the Working Group at its next session;

17. *Recognizes* that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparities, instability and insecurity that affect many people in different parts of the world, in particular in developing countries;

18. *Recognizes also* the need to address market access for developing countries, including in agriculture, services and non-agricultural products, in particular those of interest to developing countries;

19. *Considers* that a desirable pace of meaningful trade liberalization, including in areas under negotiation; implementation of commitments on implementation-related issues and concerns; review of special and differential-treatment provisions, with a view to strengthening them and making them more precise, effective and operational; avoidance of new forms of protectionism; and capacity-building and technical assistance for developing countries are important issues in making progress towards the effective implementation of the right to development;

20. *Recognizes* that poverty eradication is one of the critical elements in the promotion and realization of the right to development, stresses that poverty is a multifaceted problem that requires a multifaceted approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the United Nations Millennium development goal of halving, by the year 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger, underlines the fact that the international community is far from meeting the target of halving the number of people living in poverty by 2015 and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries;

21. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development and, in this regard, stresses the need to broaden the base of decision-making at the international level on issues of development concern and to fill organizational gaps, as well as strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing

countries and economies in transition in international economic decision-making and norm-setting;

22. *Stresses* that the basic responsibility for the realization of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

23. *Recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

24. *Recognizes also* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between women's education and their equal participation in the civil, political, economic, social and cultural activities of the community, and the promotion of the right to development;

25. *Stresses* the need for the integration of the rights of children, boys and girls alike, in all policies and programmes, and for ensuring protection and promotion of those rights, especially in areas relating to health, education and the full development of their capacities;

26. *Recognizes* that measures must be taken at the national and international levels to fight human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and other communicable diseases, taking into account ongoing efforts and programmes;

27. *Recognizes also* the need at the national level for strong partnerships with civil society organizations, including the private sector, in pursuit of poverty eradication and development, as well as for good corporate governance;

28. *Expresses* deep concern and anxiety at the growing corporate corruption, in particular the recent disturbing incidents which have a negative impact on the full enjoyment of human rights and undermines the process of the realization of the right to development;

29. *Emphasizes* the urgent need for taking concrete measures, including the repatriation of illegally acquired assets and funds to the countries of origin, to fight against all forms of corruption at the national and international levels, and stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework;

30. *Supports and appreciates* the recently adopted New Partnership for Africa's Development as a development framework and a practical example that could be explored for the promotion of a rights-based approach to development;

31. *Emphasizes* the need to improve further the activities of the Office of the United Nations High Commissioner for Human Rights towards the promotion and realization of the right to development, including ensuring effective use of the

financial and human resources necessary to fulfil its mandate, and better servicing of and support for the Working Group on the Right to Development;

32. *Calls upon* the Office of the United Nations High Commissioner for Human Rights to assist effectively in implementing the recommendations contained in the agreed conclusions of the Working Group on the Right to Development, including in particular ensuring the meaningful participation and contribution of all relevant international organizations and United Nations specialized agencies, programmes and funds in the next session of the Working Group;

33. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions and non-governmental organizations, and to present a comprehensive report on the implementation of the present resolution to the Commission on Human Rights at its fifty-ninth session and to the General Assembly at its fifty-eighth session;

34. *Decides* to continue consideration of the issue of the right to development, as a matter of priority, at its fifty-eighth session.